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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
09/575,139	05/23/00	LAPSTUN	P NPA019US

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EXAMINER
NGUYEN, M

ART UNIT	PAPER NUMBER
2622	7

DATE MAILED: 08/28/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

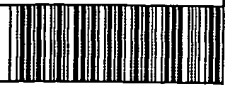
Application No.
09/575,139

Applicant(s)

Lapstun Paul et al

Examiner
Madelaine AV Nguyen

Group Art Unit
2622



☒ Responsive to communication(s) filed on May 18, 2001

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 35 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claim

☒ Claim(s) 1-24 is/are pending in the application.

Of the above, claim(s) _____ is/are withdrawn from consideration.

☐ Claim(s) _____ is/are allowed.

☒ Claim(s) 1-24 is/are rejected.

☐ Claim(s) _____ is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☒ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☒ All ☐ Some* ☒ None of the CERTIFIED copies of the priority documents have been received.

☐ received in Application No. (Series Code/Serial Number) _____.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☒ Notice of References Cited, PTO-892

☒ Information Disclosure Statement(s), PTO-1449, Paper No(s). 4

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

— SEE OFFICE ACTION ON THE FOLLOWING PAGES —

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DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1, 5, 6, 7, 8, 9, 11, 12, 15-18, 20-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sekiya et al (US Patent No. 4,566,127).

Concerning claim 12, Sekiya discloses a system (Fig.1) for delivering a facsimile including a printer (3) for printing a form with coded data, a sensing device (4) for reading the coded data and transmitting interaction data to allow for electronic capture of a message; and a computer system for receiving the interaction data from the sensing device and transmitting the message to an address for facsimile delivery.

Sekiya does not teach that the electronic capture of a message is generated by moving the sensing device relative to the form. However, Sekiya teaches that the sensing device 4 is an input unit for optically scanning various kinds of documents to obtain image information as electric signals. Sekiya further teaches a quantizing circuit 32 converts an analog signals which is obtained when scanning section 4 scans an input manuscript, to a binary signal and supplies it to a row buffer 33. Row buffer 33 can accommodate image information corresponding to characters

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on a row on the input manuscript. The content of row buffer 33 are detected and cutout by a pre-processing circuit 34 for each image information area corresponding to a character. Recognition circuit 35 calculates the similarity between a standard character pattern in a dictionary 36 and an input pattern included in an image information area for one character, to achieve character recognition and conversion into a character code (col. 3, line 50 - col. 4, line 2). It would have been obvious at the time the invention was made to a person having ordinary skill in the art to consider the scanning and recognizing the image information in Sekiya is to allow for electronic capture of a message generated by moving the sensing device relative to the form since Sekiya teaches the recognition of character information at a character area on an input manuscript.

Concerning claims 15, 16, 17, 18, Sekiya further teaches a fax application (ID code) for receiving and formatting the message for transmission, the fax application further serving to allocate the reply of the reception request (col. 4, lines 24-33), the coded data serves to identify the form and at least one point of the form (col. 5, line 13 - col. 6, line 24); the computer system is adapted to receive movement data regarding the movement of the sensing device relative to the coded data, on order to capture the message (col. 3, line 50 - col. 4, line 2); the sensing device senses its own movement relative to the document using the coded data (col. 2, lines 36-53; col. 3, line 50 - col. 4, line 33).

Concerning claims 20-21, Sekiya further teaches that the document is printed on demand by recording 3 wherein the printer is arrange to print the coded data at the same time as printing the document on a surface defining structure (Fig.10; col. 2, lines 46-50; col. 6, line 42 - col. 7,

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line 8); the system include a database (5) for keeping a retrievable record of each document which are retrievable by using its identity as included in its coded data (col. 4, lines 13-33; col. 5, line 44 - col. 6, line 38).

Claims 1, 7, 8, 9, 11 are method claims of apparatus claims 12, 15-18, 20-21. Claims 1, 7, 8, 9, 11 are rejected the same reasons as claims 12, 15-18, 20-21 respectively.

Concerning claims 5, 6, Sekiya further teaches an address list to select the address (Fig.10); the step of receiving data derived from the coded data regarding the identity of the form and a position of the sensing device (col. 2, line 64 - col. 3, line 4; col. 7, lines 10-59).

3. Claims 2, 3, 13-14, are rejected under 35 U.S.C. 103(a) as being unpatentable over Sekiya et al as applied to claim 1 above, and further in view of Chan et al (US Patent No 6,049,833).

Concerning claims 13 and 14, Sekiya further teaches a reception control circuit 21 functions to receive data and to thus detect reception requests, and a CPU 6 applies a response of "reception OK" to control circuit 20 in communication control section 1 (col. 3, lines 14-30; col. 5, lines 13-16). Sekiya further teaches the reception request dependent upon a sender's instruction indicated by interaction of the device with an appropriate user interactive element on the form, (col. 5, line 13 - col. 6, line 24).

Sekiya fails to teach that the reception request has a reply number which is valid for a predetermined time only. However, it was commonly known in the art that a reception request

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has a reply number valid for a predetermined time only. Chan et al discloses a computer communications that mediate communications between processes that employ different network communication protocols with a transmission header specifies certain format and sequencing information such a request/response header (Fig.2). An "RU category" field in the request/response header, together with a code field in the request/response unit itself specifies the request/response unit's type (col. 1, lines 44-60). The acknowledgment mechanism involves a single bit acknowledgment ("ACK") flag. A port set that flag to indicate that it has successfully received. If it receives no such acknowledgment within a predetermined time limit, it re-transmits the unacknowledged segment (col. 5, lines 6-19; col. 6, lines 21-37). It would have been obvious at the time the invention was made to a person having ordinary skill in the art to combine the teaching of a reply number for acknowledgment which is valid for a predetermined time only in Chan to the reception request process in the Sekiya since the communication between 2 terminals can not wait the receipt or acknowledgment from the receiving terminal for an infinite time period.

4. Claims 19, 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sekiya as applied to claim 12 above, and further in view of Urano (US Patent No. 6,168,081).

Concerning claims 19, 22, Sekiya fails to teach that the sensing device includes a marking nib for reading the invisible coded data. Urano teaches a scanning apparatus which can read invisible symbols (Abstract; col. 2, lines 51-63). It would have been obvious at the time the

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invention was made to a person having ordinary skill in the art to combine the teaching of the invisible symbol reading apparatus in Urano to the sensing device 4 in Sekiya to read invisible coded data for security and preventing fault duplicate.

5. Claims 4, 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sekiya as applied to claims 1, 12 above, and further in view of well known in the prior art.

Concerning claim 4, Sekiya teaches the reading of the hand-written information such as ID code by the sensing which is electronically captured and converted into digital form to facilitate transmission of the message (col. 6, lines 1-30).

Sekiya fails to teach the hand-written information is a recipient address. However, it was a matter of well known in the art that the sensing device can read any kind of hand-written information including recipient address information since the fact that the sensing device read the hand-written ID code. It would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify the hand-written information includes a recipient address since Sekiya teaches the reading of a form which is to be filled with information according to the type of forms.

Concerning claim 24, Sekiya fails to teach that the printer includes a binding means for binding the printed form in the event the form includes a plurality of pages. However it was commonly known in the art that any conventional printer has a binding means for binding a plurality of pages. It would have been obvious at the time the invention was made to a person

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having ordinary skill in the art to modify the printer in Sekiya having a binding means as a matter of well known in the prior art in order to bind the printed form since Sekiya teaches the printing of a plurality of pages.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

a. Yaksich et al (US Patent No. 5,563,999) discloses a forms automation system for eliminating or minimizing warehousing of pre-printed forms, redundant entry and processing of data, forms distribution costs.

b. Ozawa et al (US Patent No. 5,717,493) discloses a communication system with a central unit for storing, retrieving, transferring facsimile information.

c. Kamada (US Patent No. 5,099,340) teaches an electronic filing apparatus for receiving an image signal to determine whether or not the image signal is image of an OMR sheet in accordance with a predetermined form.

d. Komori et al (US Patent No. 4,180,798) recites a character recognition and communication system wherein a character appearing on a document is converted into a character image signal at a transmission terminal.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Madeleine Anh-Vinh Nguyen whose telephone number is (703) 305-4860.

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Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-4700.

Any response to this action should be mailed to:

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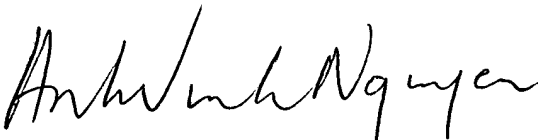
or faxed to:

(703) 308-9051 (for formal communication at s intended for entry)

(703) 308-9051 (for informal or draft communications, such as proposed amendments to be discussed an interview; please label such communications "PROPOSED" or "DRAFT")

or hand-carried to:

Crystal Park Two
2121 Crystal Drive
Arlington, VA.
Sixth Floor (Receptionist)



Madeleine Anh-Vinh Nguyen
Primary Examiner
Art Unit 2722
August 23, 2001